

LIBER 17 PAGE 15  
**CERTIFICATE OF PUBLICATION**  
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This is to certify, That the annexed Order of Publication  
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.....four..... successive weeks prior to the third.....  
day of February....., 1960.

THE NEWS-POST

Per *Walter D. Wacker*

*Filed March 14, 1960*

NO. 19311 EQUITY  
IN THE CIRCUIT COURT FOR  
FREDERICK COUNTY, IN EQUITY.  
STEVENSON W. NAGLE, widower  
Forest Hill, Maryland  
ESTHER B. GROSS, widow  
Forest Hill, Maryland  
OLEITA H. ARTHUR, widow  
616 East 34th Street, Baltimore, Mary-  
land  
GERALD NAGLE and DOROTHY G.  
NAGLE, his wife  
Belair, Maryland  
H. KENNETH LIVEZEY and ISABEL  
LIVEZEY, his wife  
Aberdeen, Maryland  
G. KESSLER LIVEZEY and VERNA  
P. LIVEZEY, his wife  
Aberdeen, Maryland  
RUTH HEUBESH and CHARLES  
HEUBESH, her husband  
Fallston, Maryland  
MADELINE PEERY and JOHN G.  
PEERY, her husband  
Belair, Maryland  
ELEANOR KILLIAN and FRANK KIL-  
IAN, her husband  
1309 Halstead Road, Baltimore, Mary-  
land  
THOMAS H. CALDER and EVELYN  
CALDER, his sister  
3821 Kimble Road, Baltimore, Maryland  
ELIZABETH C. REIP and JOHN  
REIP, her husband  
3821 Kimble Road, Baltimore, Mary-  
land  
GLADYCE BRADY and ROBERT  
BRADY, her husband  
948 Evergreen Street, Emmons, Penn-  
sylvania

COMPLAINANTS

VS.

THOMAS NAGLE and NANCY NAGLE,  
his wife  
5395 Frankfort Court, Detroit 13,  
Michigan  
LINN NAGLE and MARIE NAGLE, his  
wife  
5395 Frankfort Court, Detroit 13,  
Michigan  
GEORGE NAGLE and JUNE NAGLE,  
his wife  
5395 Frankfort Court, Detroit 13,  
Michigan  
JOHN S. NAGLE  
1717 Springfield Avenue, Philadelphia,  
Pennsylvania  
CLYDE W. SMITH,  
Jamsville, Maryland

MORTGAGE  
DEFENDANTS

ORDER OF PUBLICATION

The object of this Bill of Complaint is to procure a Decree for the sale of certain property in Frederick County, State of Maryland, in the name of Emanuel R. Nagle, late of Frederick County, deceased.

The Bill states in substance that the said Emanuel R. Nagle, late of Frederick County, Maryland, died intestate on or about the 3rd day of February, 1959, seized and possessed of certain real estate situate, lying and being in Frederick County, State of Maryland, said real estate being described in a deed from Anna L. Dinterman, unmarried, to Emanuel R. Nagle and Mary E. Nagle, his wife, said Deed being dated the 18th day of December, 1939 and recorded in Liber 421, folio 451, one of the Land Records of Frederick County, State of Maryland, containing one acre of land, more or less.

That the said Mary E. Nagle, died on or about the 21st day of January, 1959, leaving Emanuel R. Nagle as the survivor; that the said Emanuel R. Nagle so seized and possessed of said real estate, left surviving him the following as his heirs at law and next of kin and to whom, the said land has descended, viz: The Complainant, Stevenson W. Nagle, widower, and Esther B. Gross, widow, brother and sister respectively, both residing at Forest Hill, Maryland; the Complainant, Oleita H. Arthur, widow, a sister, residing at 616 East 34th Street, Baltimore 18, Maryland; the Complainant, Gerald Nagle, son of William Nagle, a deceased brother, who died in the year 1917, and the said Gerald Nagle intermarried with the Complainant, Dorothy G. Nagle, both residing at Belair, Maryland; that Louise Livezey, a deceased sister, died in March, 1930, intestate, survived by the Complainant, H. Kenneth Livezey, a son, who intermarried with the Complainant, Isabel Livezey and the Complainant, G. Kessler Livezey, a son, who intermarried with Verna P. Livezey, a Complainant, all residing at Aberdeen, Maryland.

The Bill further states that Mary J. Calder, sister of Emanuel R. Nagle, died about October 6, 1951, survived by the Complainant, Ruth Heubesh, a daughter, who intermarried with the Complainant, Charles Heubesh, both residing at Fallston, Maryland; by the Complainant, Madeline Peery, a daughter, who intermarried with the Complainant, John G. Peery, both residing at Belair, Maryland; by the Complainant, Eleanor Killian, a daughter, who intermarried with Frank Killian, a Complainant, both residing at 1309 Halstead Road, Baltimore, Maryland; by the Complainant, Thomas H. Calder, a son, and by the Complainant, Evelyn Calder, a daughter, by the Complainant, Elizabeth C. Reip, a daughter, who intermarried with the Complainant, John Reip, all residing at 3821 Kimble Road, Baltimore, Maryland; by the Complainant, Gladysce Brady, a daughter, who intermarried with the Complainant, Robert Brady, both residing at 948 Evergreen Street, Emmons, Pennsylvania.

That Linn K. Nagle, a brother of Emanuel R. Nagle, died in October 1918, survived by Thomas Nagle, a son, who intermarried with Nancy Nagle; by Linn Nagle, a son, who intermarried with Marie Nagle; by George Nagle, a son, who intermarried with June Nagle, all residing at 5395 Frankfort Court, Detroit 13, Michigan; that John S. Nagle, a half-brother of Emanuel R. Nagle, unmarried, resides at 4717 Springfield Avenue, Philadelphia, Pennsylvania.

The Bill further states that all of the mentioned heirs at law of Emanuel R. Nagle, are adults.

The Bill then states that said real estate is encumbered by a Mortgage dated June 14, 1948 and recorded in Liber 470, at folio 530, one of the Land Records of Frederick County from Emanuel R. Nagle and Mary E. Nagle, his wife, to Clyde W. Smith, in the principal sum of One Thousand Five Hundred (\$1,500.00) Dollars with interest at four per cent per annum, and by a Second Mortgage dated June 26, 1954 and recorded in Liber 532, folio 355, one of said Land Records to Clyde W. Smith, in the principal sum of Two Thousand Three Hundred Fifty (\$2,350.00) Dollars, with interest at four per cent per annum and that both said Mortgages have matured and are past due.

The Bill then states that said real estate is not susceptible of partition without material loss and injury to the parties entitled to interest therein, and prays for the passage of a Decree for the sale of the real estate aforesaid and that the proceeds of the sale be distributed under the direction of the Honorable Court and for general relief; it further prays that a Writ of Subpoena be issued against Clyde W. Smith, Mortgagee, and for an Order of Publication against Thomas Nagle and Nancy Nagle, his wife, Linn Nagle and Marie Nagle, his wife, George Nagle and June Nagle, his wife, all residing at 5395 Frankfort Court, Detroit 13, Michigan, and against John S. Nagle, residing at 4717 Springfield Avenue, Philadelphia, Pennsylvania.

It is thereupon this 31st day of December, 1959, by the Circuit Court for Frederick County, sitting as a Court of Equity, ORDERED that the Plaintiffs give notice to the said non-resident Defendants of the object and substance of this Bill by causing a copy of the same to be published in some newspaper published in Frederick County, once a week for four successive weeks prior to the 3rd day of February 1960, commanding them and each of them to be and appear in this Court, in person or by Solicitor, on or before the 5th day of March 1960, and show cause, if any they or each of them, have, why a Decree should not be passed as prayed.

ELLIS C. WACHTER,

Ellis C. Wichter, Clerk of Circuit  
Court for Frederick County, Maryland  
W. Jerome Offutt  
D. Paul McNabb

Solicitors for Complainants  
Filed December 31, 1959

True Copy—Test:

ELLIS C. WACHTER,  
Clerk